

Message Text

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ORIGIN EB-08

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P 232021Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY MADRID PRIORITY

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E.O. 11652: N/A

TAGS: EAIR, SP

SUBJECT: CIVAIR: PAN AM STANDBY FARES

REF: MADRID 09260

1. SPANISH EMBASSY DELIVERED NOTE TO DEPARTMENT ON
AUGUST 22 CONCERNING PAN AM STANDBY FARE, MIAMI-MADRID,
UNOFFICIAL TRANSLATION OF NOTE FOLLOWS:

QUOTE THE EMBASSY OF SPAIN PRESENTS ITS COMPLIMENTS TO
THE U.S. DEPARTMENT OF STATE AND WITH REFERENCE TO ITS
VERBAL NOTE NO. 167 OF JULY 10, 1978, HAS THE HONOR TO
INFORM THAT THE GOVERNMENT OF SPAIN CONSIDERS THE DATE
THE NOTE WAS DELIVERED BY HAND TO THE DEPARTMENT, I.E.
JULY 10, 1978, AS THE BEGINNING OF THE 60 DAY PERIOD
PROVIDED IN ARTICLE 10 OF THE AIR TRANSPORT AGREEMENT
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BETWEEN SPAIN AND THE UNITED STATES. BEFORE THE 60 DAY
TERM HAS EXPIRED, CONSULTATIONS ON THE FUTURE OF THE
RATES SUBMITTED BY PAN AMERICAN FOR THEIR FLIGHTS
MIAMI/MADRID SHOULD TAKE PLACE.

THE EMBASSY WOULD LIKE TO RECEIVE A REPLY TO VERBAL
NOTE NO. 167 OR, AT ANY EVENT, TO KNOW THE DATE OF THE

CONSULTATIONS ABOUT THESE RATES, TO TAKE PLACE BETWEEN

THE SPANISH AND U.S. AUTHORITIES.

THE EMBASSY OF SPAIN AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE DEPARTMENT OF STATE THE EXPRESSION OF ITS HIGHEST CONSIDERATION. UNQUOTE

2. RE QUESTION RAISED REFTEL, DEPARTMENT AND CAB HAVE EXAMINED SITUATION AND CONCUR WITH GOS INTERPRETATION OF BILATERAL IN THIS INSTANCE. FOLLOWING PRESENTATION OF NOTE ON AUGUST 22, DEPARTMENT OFFICER INDICATED TO SPANISH EMBOFF THAT USG DID NOT DISPUTE FACT THAT GOS HAD RIGHT UNDER BILATERAL TO SUSPEND STANDBY FARE 60 DAYS AFTER NOTICE OF DISSATISFACTION. THIS RIGHT COULD BE EXERCISED ANYTIME AFTER APPROXIMATELY SEPTEMBER 8. DEPARTMENT ALSO EMPHASIZED HOWEVER, OUR BELIEF THAT THE FARE WAS ECONOMICALLY JUSTIFIED AND WOULD RESULT IN BENEFITS FOR BOTH THE CONSUMER AND THE CARRIER.

3. FYI. QUESTION AS TO WHETHER CONSULTATIONS WILL BE REQUESTED HAS NOT YET BEEN DECIDED. HOWEVER, INITIAL INDICATIONS ARE THAT NO RPT NO CONSULTATIONS WILL BE REQUESTED. CHRISTOPHER

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